

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

LORETTA BENSEN,

Plaintiff,

v.

PEOPLECONNECT, INC.,

Defendant.

CASE NO. C22-1199 MJP

ORDER EXTENDING STAY AND  
SETTING DEADLINES FOR  
INITIAL DISCLOSURES AND  
JOINT STATUS REPORT

This matter comes before the Court on the Parties' Joint Status Report in which they request an extension of the stay that expired November 10, 2022 to "allow the Parties to engage in further mediation." (Dkt. No. 16.) The Parties have suggested they will submit a Joint Status Report on January 12, 2023 to update the Court on mediation. (Id.) The Court hereby EXTENDS the stay until January 12, 2023. But no further extensions shall be provided to accommodate the Parties' efforts to resolve this dispute. The stay shall terminate on January 12, 2023.

The Court also ORDERS the following dates for initial disclosures and submission of the Joint Status Report and Discovery Plan:

**Deadline for FRCP 26(f) Conference: 1/12/2023**

**Initial Disclosures Pursuant to FRCP 26(a)(1): 1/19/2023**

**Combined Joint Status Report and Discovery Plan as Required by FRCP 26(f) and Local Civil Rule 26(f): 1/26/2023**

All counsel and any pro se parties are directed to confer and provide the Court with a combined Joint Status Report and Discovery Plan (the “Report”) by January 26, 2023. This conference shall be by direct and personal communication, whether that be a face-to-face meeting or a telephonic conference. The Report will be used in setting a schedule for the prompt completion of the case. It must contain the following information by corresponding paragraph numbers:

1. A statement of the nature and complexity of the case.
2. A proposed deadline for the joining of additional parties.
3. The parties have the right to consent to assignment of this case to a full time United States Magistrate Judge, pursuant to 28 U.S.C. §636(c) and Local Rule MJR 13 to conduct all proceedings. The Western District of Washington assigns a wide range of cases to Magistrate Judges. The Magistrate Judges of this district thus have significant experience in all types of civil matters filed in our court. Additional information about our district's Magistrate Judges can be found at [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov). The parties should indicate whether they agree that the Honorable S. Kate Vaughan may conduct all proceedings including trial and the entry of judgment. When responding to this question, the parties should only respond “yes” or “no.” Individual party responses should not be provided. A “yes” response should be indicated only if parties consent. Otherwise, a “no” response should be provided.

1           4. A discovery plan that states, by corresponding paragraph letters (A, B, etc.), the  
2 parties' views and proposals on all items in Fed. R. Civ. P. 26(f)(3), which includes the  
3 following topics:

- 4                   (A) initial disclosures;
- 5                   (B) subjects, timing, and potential phasing of discovery;
- 6                   (C) electronically stored information;
- 7                   (D) privilege issues;
- 8                   (E) proposed limitations on discovery; and
- 9                   (F) the need for any discovery related orders.

10           5. The parties' views, proposals, and agreements, by corresponding paragraph letters (A,  
11 B, etc.), on all items set forth in Local Civil Rule 26(f)(1), which includes the following topics:

- 12                   (A) prompt case resolution;
- 13                   (B) alternative dispute resolution;
- 14                   (C) related cases;
- 15                   (D) discovery management;
- 16                   (E) anticipated discovery sought;
- 17                   (F) phasing motions;
- 18                   (G) preservation of discoverable information;
- 19                   (H) privilege issues;
- 20                   (I) Model Protocol for Discovery of ESI; and;
- 21                   (J) alternatives to Model Protocol.

22           6. The date by which discovery can be completed.

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1           7. Whether the case should be bifurcated by trying the liability issues before the damages  
2 issues, or bifurcated in any other way.

3           8. Whether the pretrial statements and pretrial order called for by Local Civil Rules 16(e),  
4 (h), (i), and (k), and 16.1 should be dispensed with in whole or in part for the sake of economy.

5           9. Any other suggestions for shortening or simplifying the case.

6           10. The date the case will be ready for trial. The Court expects that most civil cases will  
7 be ready for trial within a year after filing the Joint Status Report and Discovery Plan.

8           11. Whether the trial will be jury or non-jury.

9           12. The number of trial days required.

10          13. The names, addresses, and telephone numbers of all trial counsel.

11          14. The dates on which the trial counsel may have complications to be considered in  
12 setting a trial date.

13          15. If, on the due date of the Report, all defendant(s) or respondent(s) have not been  
14 served, counsel for the plaintiff shall advise the Court when service will be effected, why it was  
15 not made earlier, and shall provide a proposed schedule for the required FRCP 26(f) conference  
16 and FRCP 26(a) initial disclosures.

17          16. Whether any party wishes a scheduling conference before the Court enters a  
18 scheduling order in the case.

19          17. List the date(s) that each and every nongovernmental corporate party filed its  
20 disclosure statement pursuant to Fed. R. Civ. P. 7.1 and Local Rule 7.1.

21           If the parties are unable to agree to any part of the Report, they may answer in separate  
22 paragraphs. No separate reports are to be filed. If the parties wish to have a status conference  
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1 with the Court at any time during the pendency of this action, they should notify Grant Cogswell,  
2 Courtroom Deputy, by telephone at (206) 370-8518.

### 3 **PLAINTIFF'S RESPONSIBILITY**

4 This Order is issued at the outset of the case, and a copy is sent by the clerk to counsel for  
5 plaintiff (or plaintiff, if pro se) and any defendants who have appeared. Plaintiff's counsel (or  
6 plaintiff, if pro se) is directed to serve copies of this Order on all parties who appear after this  
7 Order is filed. Such service shall be accomplished within ten (10) days after each appearance.  
8 Plaintiff's counsel (or plaintiff, if pro se) will be responsible for starting the communications  
9 needed to comply with this Order.

### 10 **JUDGE SPECIFIC PROCEDURAL INFORMATION**

11 All counsel and unrepresented parties should review Judge Pechman's web page for  
12 procedural information applicable to cases before Judge Pechman. The judges' web pages, in  
13 addition to the Local Rules, Electronic Filing Procedures for Civil and Criminal Cases, court  
14 forms, instruction sheets, and General Orders, can be found on the Court's website at  
15 [www.wawd.uscourts.gov](http://www.wawd.uscourts.gov).

### 16 **EARLY SETTLEMENT CONSIDERATION AND NOTIFICATION**

17 If settlement is achieved, counsel shall immediately notify Grant Cogswell, Courtroom  
18 Deputy, at (206) 370-8518. The parties are responsible for complying with the terms of this  
19 Order. The Court may impose sanctions on any party who fails to comply fully with this Order.

20 The clerk is ordered to provide copies of this order to all counsel.

21 Dated November 14, 2022.

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23 Marsha J. Pechman  
24 United States Senior District Judge